

Jay C. Stephenson

Jay C. Stephenson
Clerk of Superior Court Cobb County

06-1-6766



**GENERAL PRESENTMENTS
of the
2006
SEPTEMBER/OCTOBER 2006
GRAND JURY
IN THE SUPERIOR COURT
COBB COUNTY, GEORGIA**

GEORGIA, COBB COUNTY
I HEREBY CERTIFY THE WITHIN AND FOREGOING TO BE A
TRUE AND CORRECT AND COMPLETE COPY OF THE
ORIGINAL THAT APPEARS OF RECORD

CASE No. 06-1-6766 IN THIS OFFICE
THIS 10th DAY OF Nov. 20 06
Deborah Thaw
DEPUTY CLERK, COBB COUNTY
COURT, COBB COUNTY, GEORGIA

**THOMAS JAY HARVEY, FOREPERSON
JANE BENJAMIN BONNER, ASSISTANT FOREPERSON
BETH POLLACK GIBEAUT, CLERK**

September/October Term of the Cobb County Grand Jury

Consisted of the Following Panel Members:

Officers:

Thomas Jay Harvey, Foreperson

Jane Benjamin Bonner, Assistant Foreperson

Beth Pollack Gibeaut, Clerk

**Cynthia Walls Martin
Gary Albert Walz
Lander Aundra Allen
Mour Greenspan
Robert Holt Barron
Donald Boyd Sykes
Joseph William Heitmeyer
James Gregory Tabb
Candice Fletcher Worley
Jean Ann Thoen
Barbara Harrison Hansen**

**Michael Joseph Hamby
Abraham Datugan Cabal
Joyce Hogan Gross
Richard Ding Su
Joy Revels
Donna Duncan Boyer
Paul Jordan Smith
Gregory Stephen Conner
James Barry Nail
Matthew C. Larson**

GRAND JURY PRESENTMENTS

We, the Grand Jury, selected and sworn for the September/October 2006 Term, respectfully make the following presentments:

This Grand Jury has acted on **363** Indictments, returning **352** True Bills and **11** No Bills during the term.

We, the Grand Jury, would like to take this opportunity to thank the following people for their efforts in making our experience here a very rewarding and educational one: ADA Barie Laux, Kathy Watkins, Bailiffs Else Reichle, Betty Turley and Malcolm Bethune. The District Attorney's Office, under the direction of District Attorney Pat Head is well-managed and efficient. We would also like to thank Sheriff Neil Warren and the men and women of the Sheriff's Department for their hospitality, cooperation, and assistance in the discharge of our duties in various assignments. It is our opinion that due to the dedicated efforts of the elected officials and governmental employees within Cobb County we reside in a much better community.

COBB COUNTY GRAND JURY REPORTS

Findings from the Inspection of:

PENAL COMMITTEE

Cobb County Adult Detention Center

Report Summary

Twenty five members of the Grand Jury of Cobb County for the Fall Term visited the Cobb County Adult Detention Center on Tuesday, September 19, 2006. Upon arrival, we were greeted by jail staff and served a meal equivalent to that which would be served to inmates that evening. The tour concluded at approximately 4 pm. The members of the Grand Jury were escorted on their tour by senior members of the jail staff who were courteous in their answering of questions posed. Security was very tight and no deviations from security were noted during the tour.

As part of the tour, the Grand Jury was provided with a fact sheet on the Detention Facilities, which included information about daily inmate population vs. designed constructed inmate capacity (2259 vs. 1925), average length of stay (30.1days), average length of stay for felony inmates (80.8 days), average length of stay for misdemeanor inmates (7.3 days), average number of felony inmates (1755), average number of misdemeanor inmates (311), average number of male inmates (1850), average number of female inmates (298) and average number of inmates processed per month (2887). The jail is staffed by 162 sworn deputies, 12 detention officers, 136 civilian employees and 17 part-time employees. The average daily cost per inmate is \$40.83 and included medical care, housing and food. The jail will undergo expansion in the near future funded by the Special Purpose Local Option Sales Tax (SPLOST), which is expected to provide \$100 million towards the project. Though we were given information on the Sheriff's Office budget, it was not clear how much of the \$35,181.121 of the budget dedicated to Corrections was earmarked for this jail.

The Grand Jury was permitted to visit the Jail clinic which is staffed 24/7 by trained medical personnel, the intake area, where arrestees are processed, several male cell blocks and the female cell blocks. The jail is currently experiencing overcrowding, as evidenced by inmate beds placed in common areas for both genders and temporary "boat" bedding used by the female inmates. The inmates were orderly and seemed to be well supervised. Jail staff would not comment on whether they felt that they had adequate staffing, however. The members of the Grand Jury were not given the opportunity to interview any inmates in the facility; however, several female inmates attempted to communicate with the Grand Jury about mold issues in the common shower areas. In the intake area, a demonstration was given on the facial recognition software, its purposes and applicability in intake and release of prisoners.

Recommendations

This Grand Jury had no specific recommendations to the Sheriff's Office either on the facility or the running of the jail. Several members of the Grand Jury did say however, that they would have liked the opportunity to interview inmates as part of the tour to get their perspective on their treatment while in the facility.

Acworth City Jail

Committee Members:

Cynthia Martin	Gary Walz	Joy Revels
Candice Worley	Joseph Heitmeyer	Joyce Gross
Jean Thoen	Matt Larson	Donna Boyer
Abraham Chabal		

Report Summary

The Acworth Jail is a 32-bed short stay facility. The jail has 7 sworn officers assigned to it. The average population is 14-17 inmates. At the time of this visit there were 11 males and 4 females in house. Officer Ferguson and Sgt. Hunt gave a tour of the facilities. The tour included: inmate visitation area, laundry, kitchen, men's and women's shower area, male and female cells, outdoor area and the front desk/booking area. It was observed that an adjoining door between the visitation area and supply room which led to a main exit area was unsecured. The infirmary is a small closet located in the booking area. Per Officer Ferguson an M.D. assesses all new inmates. If medications are required to be dispensed this is done per M.D. instructions and in front of a camera. All medications are entered into a logbook. The dispatch communication has been merged with the Kennesaw Police Department. It was noted that all inmate cells appear clean and that each cell having a cable television was a privilege. The kitchen area was noted to be very clean and organized.

When asked if there were any specific needs to be addressed, it was stated that there were none. Upon observation, the jury members felt that both male and female shower areas are in need of paint.

In conclusion, the facility appears to be neat, clean and orderly. It was also noted that much reliance is placed on the fact that non-violent offenders are housed in this facility.

Kennesaw City Jail and 911 Center

Committee Members:

Cynthia Martin	Joseph Heitmeyer	Matt Larson
Gary Walz	Donna Boyer	Joy Revels
Joyce Gross	Abraham Chabal	Candice Worley
Jean Thoem		

Report Summary

The Kennesaw Jail is a 26 bed, short stay facility housing misdemeanor offenders with sentences of less than 1 year in jail and less than \$1000 fine. All major offenders are held in the holding area until transferred by the Cobb County Sheriff. At the time of this visit the population was 15 males and 1 female. Lt. Graydon, Chief Jail Administrator and Sgt. Grumbein, Assistant Jail Administrator, gave a facilities tour. In the booking area is a holding cell for up to 10 detainees. We learned that the ident-x-system is used for fingerprinting, enabling a search of other data banks. A tour of the cell area showed 6-bed inmate cells and an 8-bed worker cell. The inmates receive 2 meals per day. Worker inmates receive 3 meals per day. There are no TVs available. A worship service is offered once weekly. An AA meeting is available once weekly. Visitation occurs once a week on Sunday. Each inmate is offered 1 hour of outside time per day.

Much attention is paid to security as inmates are in their cells unless it is recreation time or work release. Work release inmates are searched upon entering their cells every evening.

We also received a tour of the newly opened 911- dispatch center. Bobby Duke, Director, gave this tour. The center handles calls from both the City of Kennesaw and the City of Acworth. The center averages about fifteen (15) 911 calls per day. The center also has the capabilities to operate the NCIC (crime history) and CAD (police officer monitoring) for all calls.

There was no specific request made to the Grand Jury by the Jail Administrators. The only recommendation is to insure that the sally port, which is the entry to the jail for all offenders, be cleaned out in a timely manner. At the time of our visit the sally port was full of old office furniture and supplies relocated from the area now housing the 911 dispatch center.

Findings from the:

COBB COUNTY JUROR PAY COMMITTEE

Members:

Candice Worley
Joseph Heitmeyer
James Tabb

As per Georgia Law, we the Fall Term Grand Jury are charged with setting juror pay. Upon review of the recommendations from the 2005 Fall Term, no action has been taken. Upon further investigation, it

appears that the commissioners do not feel that they have jurisdiction in this area. The Official Code of Georgia Annotated, O.C.G. § 15-12-7 section 3b, states that the governing body of the county act on the recommendations made by the Grand Jury. With this said, we recommend that the County Commissioners act on the recommendation put before them by the 2005 Fall Term Grand Jury.

CITIZEN COMPLAINT COMMITTEE

Committee Members:

Cynthia Martin
Robert Barron
Gary Walz

A request was made by Cobb County Citizen Rodney Kelly to investigate what he believed was unfair treatment to him by the Cobb County Water Department for a broken pipe he sustained on his property on March 9, 2005. The committee met with Mr. Kelly on September 28, 2006. Mr. Kelly provided the committee with pictures of the broken pipe and copy of a letter sent him from the Cobb County Water Department. We were later provided with a copy of his land survey and a letter from his attorney, Mr. Michael Kramer.

According to Mr. Kelly, he was notified by Mr. Frank Martin of the Cobb County Water Department on March 9, 2005, that a sewer line behind his property had broken and was spilling raw sewage into a canal behind his home. This line was in a shallow dry creek bed behind Mr. Kelly's home. Mr. Kelly stated that initially he was told by Mr. Martin that the county would fix the problem, but was later retracted when he was advised that the pipe was on an easement and was not eligible to be fixed by the county. Mr. Kelly received a letter on March 10, 2005 from the Cobb County Water System advising him that the county would be doing scheduled sewer line maintenance work in his area that will require crossing his property. This work entailed putting a cap on the "county end" of the sewer line to prevent water from going into the broken pipe. On March 22, 2005, Mr. Kelly received a letter from the Cobb County Health Department threatening action for a health violation if the broken sewage pipe was not repaired. Mr. Kelly contacted two contractors who gave him estimates on the repair, but they allegedly told him that the county should pay for the work. He then contacted Commissioner Helen Gorham with no resolution. He then hired Rooter Plus who performed the repairs at a cost of \$4872.86. This cost was ½ of the total bill which was shared by Mr. Kelly's next door neighbor Ms. Heather Payne whose sewer line was also affected. Mr. Kelly subsequently consulted an attorney, Mr. Michael Kramer, regarding reimbursement of the costs paid to repair his sewer line. He was unable to recall what he had been told by the attorney Kramer on September 29, 2006. Mr. Kramer had insufficient information at the time of the consultation to make a recommendation regarding the disposition of the complaint and was never provided with either the deed to the property or the names of the other homeowners involved. Mr. Kelly was charged \$500 for this consultation for which he also requested reimbursement.

The committee met with Mr. Kendall Jacob and Mr. Don Weatherspoon of the Cobb County Water Department on October 5, 2006. It was explained to the committee that Cobb County rules state that if a pipe, either water or sewer, breaks on the homeowner's side of the water or sewer tap, then it is the homeowner's responsibility to repair it. If it breaks on the County's side of the tap, then the County will repair it. As evidenced by the initial land survey of Mr. Kelly's home, his sewer line was placed

improperly at the time his house was built and crossed another homeowner's property line prior to reaching the easement. The break occurred in the sewer line on the homeowners' side of the sewer tap, thus making it Mr. Kelly and his neighbor's responsibility to repair.

Recommendations

The committee found that the county was correct in not making the repairs to Mr. Kelly's sewer line and that he be held responsible for the costs incurred. The committee surmised that some of the initial confusion may have been a result of not knowing where the easement and where the break in the line were. Unfortunately, Mr. Frank Martin, who made the initial visit, is now deceased, so his testimony could not be obtained.

TAX BOARD OF EQUALIZATION COMMITTEE

Pursuant to O.C.G.A. 48-5-311, this Grand Jury makes the following appointments to the Tax Boards of Equalization:

Pellie J. Manning
643 Kennesaw Avenue
Marietta, GA 30060
770-428-1564

Douglas Reed
1548 SandPoint Drive
Roswell, GA 30075
770-993-4354

Lee McCleskey
1035 Blackwell Road
Marietta, GA 30066
770-429-5634

David Arlen
1421 Amberton Way
Powder Springs, GA 30127
770-420-1321

Christine Ferguson
4405 Reef Road
Marietta, GA 30066
678-445-3129

Jimmie Trulove
227 Mt. Calvary Road
Marietta, GA 30064
770-422-6035

Rose Marie Hudson
653 Bostic Hill
Marietta, GA 30067
770-952-6334

Eugene Burock
3835 Hicks Road
Austell, GA 30001
770-436-4918

Barbara Burke
3190 Westfield Walk
Roswell, GA 30075
770-518-8599

Phil Bowen
3430 Old Lost Mountain Road
Powder Springs, GA 30127
770-943-3942

Daniel Jaugstetter
1235 Cinnamon Teal Court
Marietta, GA 30062
770-973-0372

EFFICIENCY IN GOVERNMENT COMMITTEE

Committee Members:

Donald Sykes
Gregory Conner
James Tabb

On September 19, 2006 per a request from Larry Walker of the Records Management Department members of the Efficiency in Government Committee visited the Records Management Department. After review and pursuant to O.C.G.A. 21-2-73 this committee authorizes the destruction of election evidence for the listed dates:

March 2006- 1 pallet
August 2006- 1 pallet
November 2006- 4 pallets

COBB COUNTY BUDGET COMMITTEE

Committee Members:

Barbara Hansen James Tabb
Robert Barron James Nail

Pursuant to the Official Code County of Cobb Part II/Chapter 2/Article II/Section 2.49, a copy of the Annual Budget for fiscal year 2007/2008 was presented, reviewed and approved by the September/October Term Grand Jury.

COBB COUNTY GRAND JURY SUMMONS COMMITTEE

Committee Members:

Robert Barron
Beth Gibeaut
James Nail

Purpose:

The purpose of this committee is to enhance the Grand Jury summons procedure such that the recipient of the summons is not alarmed by the delivery method of the summons.

General Information:

Several of the summoned Grand Jurors felt there was anxiety created by the process in which the Sheriff's Office had delivered the summons directly to the residence. It was thought that perhaps there is a better way to diminish this anxiety and insure that the time of day which the summons was presented was reasonable.

Findings:

We met with Debbie Matthews, Superior Court Administration, Colonel Milton Beck, Cobb County Sheriff's Office and Sheriff Neil Warren on this issue to determine what could be done to improve the procedure of issuing the summons to the approximately 75 random people drawn from the database for each session of the Grand Jury. Certified mail has been tried, with little positive response. Therefore, a change was made as follows to attempt a higher response rate for the summons.

Current Procedure

On March 16, 2006 the Superior Court of the State of Georgia, Cobb Judicial Circuit, issued a request that the grand jury summons be personally served to the citizens who are summoned.

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Ms. Matthews will deliver the grand jury summons to the Civil Section of the Cobb County Sheriff's Department for hand-delivery. A receipt of delivery or attempted delivery should be sent back to Ms. Matthews to insure Superior Court will know how many potential grand jurors received their summons.

Recommended Revised Procedure

The law requires the grand jury summons to be completely delivered 25 days in advance of the initial swearing-in. This committee recommends a minimum of 10 days prior to this 25 day period, a letter be sent to each summoned individual that will explain the summons and permit the individual to come to the Sheriff's Office to pick up the summons in person. If within this 10 day period, the summons is not picked up, the personal delivery by the Sheriff's Office will be conducted as usual. The delivery of the summons should be done between the hours of 7 AM and 10 PM Monday through Sunday. The letter being sent ahead of time should reduce the anxiety of the Sheriff's personal visit! A letter has been drafted and approved by this committee to meet these requirements.

CHILD ABUSE PROTOCOL COMMITTEE

Pursuant to O.C.G.A. 19-15-2, the committee reviewed the Child Abuse Protocol report and approved.

NORTH CENTRAL GEORGIA LAW ENFORCEMENT ACADEMY COMMITTEE

Committee Members:

Robert Barron	Donna Boyer
Abraham Cabal	Barbara Hansen
Cynthia Martin	James Nail
Jean Thoem	

Purpose:

In accordance with the recommendations of the past two Grand Juries, the September/October Grand Jury formed a committee to investigate the policies and procedures of the North Central Georgia Law Enforcement Academy (NCGLEA), as well as, examining the circumstances surrounding the September 2005 death of a cadet. The primary target of this committee's investigation was to understand if the policies and procedures of the NCGLEA are sufficient to withstand public scrutiny and operational integrity. Also, the committee wanted to be confident that either through management changes or policy and procedural changes that an incident such as the accidental, tragic death of a cadet would not reoccur.

On October 3, 2006, the committee heard testimony from Officer Scott Walter, Major Don Hunton, Detective Billy Caldwell, and Detective Simon Sears on the full investigation that was conducted into the death of an academy cadet at the NCGLEA. The committee also met at the NCGLEA on October 17, 2006 to interview members of the Advisory Board, the Sheriff's Department, and selected staff members of the Academy. Those persons interviewed were: Sheriff Neil Warren, Chief of Kennesaw State University, Ted Cochran, Chief Deputy Lynda Coker, Colonel Milton Beck, Dr. Carole Morgan, Colonel Don Bartlett, and Major Debra Paul. The committee also met with two Academy Firearms

instructors, Christina Jennings and Tim Lemmings, who had not been interviewed by previous Grand Juries.

General Information:

Initial testimony indicated that there was limited direction or overseeing of the firearms instruction including content and procedures at the Academy.

1. There were additional indications that there were no specific lesson plans, approved guidelines or methodology for the lessons taught at the academy.

Findings:

A follow-up review of Regional Police Academies dated 10/2003 indicates independent confirmation that policies and procedures were in place at NCGLEA and were being followed. Significant attention in the procedures indicates that every handgun and bullet magazine used during any training exercise must be thoroughly inspected by a peer prior to the training exercise to prevent accidental use of live ammunition. Live ammunition is only allowed on the firing range and not in the Defensive Tactics room. Procedures were in place at the NCGLEA prohibiting the use of face to face handgun training exercises.

Georgia Peace Officer Standards and Training (POST) who is responsible for setting the standards for all training within the state has done an adequate job of defining the requirements for Peace Officer Mandate Training. Georgia Public Safety Training Center (GPSTC) provides guidance for the training in the form of Lesson Plans and this has been done in accordance with their charter. GPSTC Basic Mandate Firearms lesson plans have been adopted by the NCGLEA.

The NCGLEA has implemented many of the recommendations from the Academy Advisory Board and Sheriff Neil Warren by instituting additional safety procedures. Safety policies and procedures were in place at the Academy, but adherence to these policies and procedures were not monitored adequately until the following safety changes were made:

- 1) GPSTC Basic Firearms lesson plans have been adopted and clarified with training staff.
- 2) NCGLEA Administrative staff have met with Defensive Tactics and Firearms Instructors to review policies and procedures.
- 3) One staff member has been designated for all Firearms Training.
- 4) Two instructors have been designated for classroom Firearms Training.
- 5) There are restricted qualifications for practical exercise role players.
- 6) A Firearms Safety Protocol for checking weapons has been established.
- 7) A policy regarding Weapons Pointing has been written.
- 8) Instructors must submit teaching materials and "after training reports" for basic mandate classes.
- 9) NCGLEA has designated a Firearms Training Safety Officer to oversee all basic mandate classes.
- 10) Expanded range time to four days to include classroom instruction and drills on site has been requested, but is subject to availability of ranges.

The use of safety equipment during practical exercises and firearms training has been reiterated and strictly enforced. Explicit policies prohibiting operational and non-operational weapons being pointed at anyone during firearms training have been instituted.

The action which will likely have the most impact in assuring safety procedures are followed is the hiring of an additional staff member to act as a safety coordinator to monitor all basic mandate training courses including firearms.

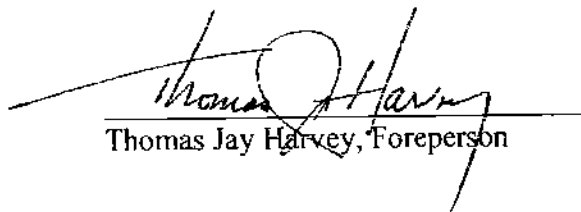
It was determined that Dr. Carole Morgan is qualified to be the Director of the North Central Georgia Law Enforcement Academy and the NCGLEA staff and training personnel are also qualified and dedicated. Sheriff Neil Warren has taken appropriate disciplinary actions against Deputy A. L. Jackson.

According to the Academy Advisory Board Policy, one of the missions is to advise POST and GPSTC in relation to Academy Operations, Staffing, Growth, and Needs. The NCGLEA has certain contractual obligations for delivery of services to GPSTC in exchange for State of Georgia financial obligations. The NCGLEA goes far above and beyond those contractual obligations as indicated in the list of services provided for calendar year 2005. The Academy Advisory Board and its Board of Directors should be more influential in garnering the support of the State of Georgia from a financial standpoint due to the shortcomings of the budget for the NCGLEA. In the material presented to this committee and from the tour of the facilities, it is obvious that the NCGLEA is in dire need of funding. The Academy benefits the citizens of Cobb County by allowing advanced and mandate training to occur in an efficient manner with no overlap of responsibility with other regional facilities. Given the fact that we have a substantial need for additional trained officers that can serve and protect Cobb County citizens and citizens throughout the State of Georgia, it is recommended that NCGLEA and the Academy Advisory Board complete a realistic budget plan for the upcoming year. This budget then needs to be presented to Cobb County and GPSTC for funding commensurate with services provided to this county.

GENERAL REPORTS

The September/October Term Grand Jury has inspected the reports of receipts and disbursements of the Clerk of Superior Court, the County Treasurer, and the Sheriff of Cobb County and found them to be in order.

Respectfully submitted this the 9th day of November, 2006.


Thomas Jay Harvey, Foreperson

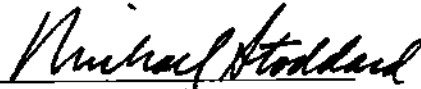
Georgia, Cobb County
Cobb County Superior Court
Cobb Judicial Circuit

ORDER

Read and Considered, Let the Same Be Filed.

It is hereby ordered; that the within Presentments be published in the official organ of Cobb County within fifteen (15) days from the date.

So Ordered, this the 9th day of November, 2006.



Michael Stoddard
Senior Judge, State of Georgia
Presiding in Cobb Superior Court

MICHAEL STODDARD, SENIOR JUDGE
SUPERIOR COURTS OF GEORGIA
PRESIDING IN COBB JUDICIAL CIRCUIT

**FINES AND FORFEITURES
OCTOBER, 2005 TO AUGUST, 2006
FOR STATE COURT (DEPTS 160 & 200) ONLY**

<u>RECEIPTS:</u>	BUDGET FOR OCT - SEPT	ACTUALS FOR OCT - AUG	VARIANCE
County Jail Fund*	\$ 0.00	\$ 0.00	\$ 0.00
Other Fines/Forfeiture	12,438,218.00	9,096,101.47	(3,342,116.53)
Victim Assistance Prog. Fine	<u>394,620.00</u>	<u>484,966.93</u>	<u>90,346.93</u>
TOTAL RECEIPTS	<u>\$ 12,832,838.00</u>	<u>\$ 9,581,068.40</u>	<u>\$ (3,251,769.60)</u>

<u>DISBURSEMENTS:</u>	BUDGET FOR OCT - SEPT	ACTUALS FOR OCT - AUG	VARIANCE
Personal Services			
Salaries	\$ 3,660,950.00	\$ 3,345,160.52	\$ 315,789.48
Fringes	<u>1,227,484.00</u>	<u>1,117,398.08</u>	<u>110,085.92</u>
Total Personal Services	4,888,434.00	4,462,558.60	425,875.40
Operating	\$ 282,625.00	\$ 211,458.91	\$ 71,166.09
Capital	<u>\$ 14,775.00</u>	<u>\$ 13,407.03</u>	<u>\$ 1,367.97</u>
TOTAL DISBURSEMENTS	<u>\$ 5,185,834.00</u>	<u>\$ 4,687,424.54</u>	<u>\$ 498,409.46</u>

*County Jail Fund - \$1,022,873.57 was collected and transferred to the Debt Service Fund for payments on the Detention Facility.


Brad Bowers, Finance Director/Comptroller

**STATE, SUPERIOR, JUVENILE, MAGISTRATE
DEPARTMENTS 040, 160, 165, 185, 190, 200 & 220
FINES AND FORFEITURES
OCTOBER, 2005 TO AUGUST, 2006**

<u>RECEIPTS:</u>	BUDGET FOR OCT - SEPT	ACTUALS FOR OCT - AUG	VARIANCE
Bond Forfeiture	\$ 168,913.00	\$ 91,270.35	\$ (77,642.65)
Drug Treatment/Ed.	462,309.00	420,330.19	(41,978.81)
Court Fines	1,504,621.00	1,170,923.25	(333,697.75)
County Jail Fund*	0.00	1,091.50	1,091.50
Other Fines/Forfeiture	12,438,218.00	9,105,699.05	(3,332,518.95)
Victim Assistance Prog. Fine	460,297.00	566,762.06	106,465.06
TOTAL RECEIPTS	\$ 15,034,358.00	\$ 11,356,076.40	\$ (3,678,281.60)

<u>DISBURSEMENTS:</u>	BUDGET FOR OCT - SEPT	ACTUALS FOR OCT - AUG	VARIANCE
Personal Services			
Salaries	\$ 15,269,175.00	\$ 13,947,695.04	\$ 1,321,479.96
Fringes	5,164,154.00	4,755,011.34	409,142.66
Total Personal Services	20,433,329.00	18,702,706.38	1,730,622.62
Operating			
Office Materials/Supplies	\$ 241,843.00	\$ 201,832.33	\$ 40,010.67
Legal/Professional Fees	495,522.00	469,604.50	25,917.50
Juror-Witness	337,050.00	224,153.51	112,896.49
Court Reporting	70,500.00	54,509.57	15,990.43
Other	633,256.00	442,575.81	190,680.19
Total Operating	1,778,171.00	1,392,675.72	385,495.28
Capital	\$ 73,085.00	\$ 50,459.68	\$ 22,625.32
TOTAL DISBURSEMENTS	\$ 22,284,585.00	\$ 20,145,841.78	\$ 2,138,743.22

*County Jail Fund - \$1,269,752.77 was collected and transferred to the Debt Service Fund for payments on the Detention Facility.


Brad Bowers, Finance Director/Comptroller

STATE OF GEORGIA
COUNTY OF COBB


RETURN TO THE COBB COUNTY
GRAND JURY FOR SEPTEMBER - OCTOBER 2006

DATE:

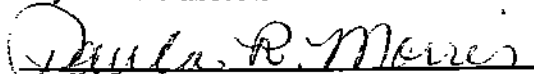
In compliance with the provision of Georgia Code 36-1-7, I submit for your examination the following true and just statement of the funds which I have collected and paid into the county General Fund on behalf of Cobb County for the period of July 1, 2006 through August 31, 2006.

To the Honorable Members of the Grand Jury for the period of July 1, 2006 through August 31, 2006:

FINES AND FORFEITURES	
Collected and paid into the Superior and State Courts of Cobb County	\$1,200.00
FEES COLLECTED RECORDS AND ID	
Fees for processing applicant fingerprints and sale of photos paid into the Cobb County General Fund	\$33,332.00
CIVIL COSTS	
Collected and paid into the Cobb County General Fund	\$53,119.00
MISCELLANEOUS REVENUES	
Collected and paid into the Cobb County General Fund	\$11,198.90
BOND FORFEITURES	
Collected and paid into the Cobb County General Fund	\$59,960.00
JAIL BOND SURCHARGE	
Collected and paid into the Cobb County General Fund	\$5,962.50
BOND DOCUMENT FEE	
Collected and paid into the Cobb County General Fund	\$41,860.00
JAIL SUBSIDY	
Collected and paid into the Cobb County General Fund	\$39,810.00
WORK RELEASE PER DEIM	
Collected and paid into the Cobb County General Fund	<u>\$63,599.00</u>
TOTAL	<u><u>\$310,041.40</u></u>


Neil Warren, SHERIFF
COBB COUNTY, GEORGIA

Personally appeared before me, Neil Warren, Sheriff of Cobb County, Georgia, who on oath deposed and says that the above is a true and correct statement to the best of his knowledge.


Notary Public, State of Georgia

Notary Public, Georgia
My Commission Expires May 25, 2008

ID# 2006-0145228-CV
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**CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT
FINANCIAL REPORT
MONTH OF JULY 2006 GENERAL FUND RECEIPTS**

<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>RECEIPTS</u>
4544	CIVIL COURT COST	\$ <u>61,067.75</u>
4579	ADR FILING	\$ <u>3,240.00</u>
4632	PROPERTY RECORDING FEES	\$ <u>316,259.00</u>
	DEEDS	\$ <u>304,197.00</u>
	UCC	\$ <u>7,788.00</u>
	BUSINESS	\$ <u>4,026.00</u>
	PLATS	\$ <u>248.00</u>
4638	MISCELLANEOUS RECORDING/FILING	\$ <u>36,590.49</u>
	NOTARY COMM.	\$ <u>10,740.00</u>
	MISCELLANEOUS	\$ <u>25,850.49</u>
4590	DRUG COURT	\$ <u>18,800.00</u>
4806	LIBRARY FUND	\$ <u>3,414.00</u>
	CASH BOND	\$ <u>14,094.50</u>
4538	10% FEE	\$ <u>2,182.50</u>
4802	FORFEITURE	\$ <u>11,912.00</u>
4803	DRUG TREATMENT/EDUCATION	\$ <u>33,388.00</u>
4804	COURT FINES	\$ <u>133,767.04</u>
	FINES	\$ <u>108,792.57</u>
	P.O.F.	\$ <u>8,366.55</u>
	P.O.P.I.D.F	\$ <u>13,788.67</u>
	D.U.I.	\$ <u>-0-</u>
	BRAIN/SPINAL	\$ <u>248.00</u>
	WD/BF	\$ <u>234.25</u>
	VICTIM	\$ <u>146.00</u>
	CRIME LAB (FELONY)	\$ <u>2,116.00</u>
	CRIME LAB (MISD)	\$ <u>75.00</u>
	DRIVERS EDUCATION	\$ <u>-0-</u>
	CRIMINAL COURT COST	\$ <u>-0-</u>
4811	VICTIMS ASSISTANCE PROGRAM	\$ <u>6,499.01</u>
4925	ATTORNEY FEES	\$ <u>23,573.14</u>
4805	10% JAIL FUND	\$ <u>17,623.60</u>
4235	TRANSFER TAX	\$ <u>832,101.00</u>
4634	INTANGIBLE TAX	\$ <u>2,219,055.10</u>
4854	INTANGIBLE TAX INTEREST	\$ <u>90.46</u>
4854	INTEREST EARNED FROM GENERAL FUND	\$ <u>297.64</u>
5020	RESTITUTION	\$ <u>206,913.36</u>
	<u>TOTAL RECEIPTS</u>	<u>\$3,926,774.09</u>

**CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT
FINANCIAL REPORT
MONTH OF – JULY 2006 -GENERAL FUND PAYABLES**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	PEACE OFFICERS/PROS/IND DEF FUND – CIVIL	\$ <u>17,070.00</u>
	PEACE OFFICERS/PROS/IND DEF FUND – CRIMINAL	\$ <u>14,038.67</u>
	PEACE OFFICERS' ANNUITY & BENEFIT FUND	\$ <u>5,294.35</u>
	SHERIFFS' RETIREMENT FUND	\$ <u>1,342.00</u>
	CLERKS' RETIREMENT FUND	\$ <u>9,545.50</u>
	CLERKS' COOPERATIVE AUTHORITY –(UCC'S)	\$ <u>3,460.00</u>
	CLERKS' COOPERATIVE AUTHORITY – (DEEDS)	\$ <u>71,550.00</u>
	CLERKS' COOPERATIVE AUTHORITY – NOTARIES	\$ <u>714.00</u>
	STATE CHILDREN'S TRUST FUND	\$ <u>1,295.00</u>
	CLERKS' COOPERATIVE AUTHORITY – P.O.F.	\$ <u>8,805.10</u>
	VICTIMS EMERGENCY FUND	\$ <u>77.00</u>
	BRAIN AND SPINAL TRUST FUND	\$ <u>100.00</u>
	DRIVERS EDUCATION COMMISSION	\$ <u>-0-</u>
	CRIMINAL COURT COST	\$ <u>-0-</u>
	RESTITUTION	\$ <u>206,913.36</u>
	INTANGIBLE TAX TO STATE AND ENTITIES	\$ <u>1,507,685.98</u>
	TRANSFER TAX TO STATE AND ENTITIES	\$ <u>831,058.50</u>
	INTANGIBLE TAX TO COBB COUNTY	\$ <u>711,459.58</u>
	CRIME LAB FEES/FELONY & MISDEMEANOR	\$ <u>2,191.00</u>
4811	VICTIMS ASSISTANCE PROGRAM	\$ <u>6,499.01</u>
4235	TRANSFER TAX TO COBB COUNTY	\$ <u>1,042.50</u>
4806	LAW LIBRARY FUND	\$ <u>3,414.00</u>
4806	SENTENCE INSOLVENT	\$ <u>1,320.00</u>
4590	DRUG COURT	\$ <u>18,800.00</u>
4579	A.A.D.R.P. FUND OF COBB COUNTY	\$ <u>3,240.00</u>
4854	INTEREST EARNED FROM GENERAL FUND	\$ <u>201.35</u>
4854	INTEREST EARNED FROM TRANSFER TAX	\$ <u>96.29</u>
	TOTAL PAY OUT	\$ <u>3,427,213.19</u>
	NET PAY OUT	\$ <u>499,560.90</u>
4638	<u>OVER / SHORT</u>	\$ <u>26.65</u>
4544	CIVIL REFUNDS	\$ <u><262.50></u>
4804	JUDICIAL REFUNDS	\$ <u><170.00></u>
4544	UN-COLLECTABLE (NSF)	\$ <u><00.00></u>
	AMOUNT PAID TO COBB COUNTY-COMPTROLLER	\$ <u>499,155.05</u>

Sworn to and subscribed before me on
This the 10TH day of AUGUST 2006.

Mary C. Hueyaby

NOTARY PUBLIC

Notary Public, Cobb County, Georgia
My Commission Expires November 12, 2007.

Jay C. Stephenson

JAY C. STEPHENSON, CLERK SUPERIOR COURT
ELVA P. DORNBUSCH, CHIEF DEPUTY CLERK

**CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT
FINANCIAL REPORT
MONTH OF AUGUST 2006 GENERAL FUND RECEIPTS**

<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>RECEIPTS</u>
4544	CIVIL COURT COST	\$ <u>89,111.50</u>
4579	ADR FILING	\$ <u>3,495.00</u>
4632	PROPERTY RECORDING FEES	\$ <u>366,026.00</u>
	DEEDS	\$ <u>351,954.00</u>
	UCC	\$ <u>9,192.00</u>
	BUSINESS	\$ <u>4,208.00</u>
	PLATS	\$ <u>672.00</u>
4638	MISCELLANEOUS RECORDING/FILING	\$ <u>53,307.25</u>
	NOTARY COMM.	\$ <u>11,850.00</u>
	MISCELLANEOUS	\$ <u>41,457.25</u>
4590	DRUG COURT	\$ <u>18,671.00</u>
4806	LIBRARY FUND	\$ <u>3,675.00</u>
	CASH BOND	\$ <u>43,968.00</u>
4538	10% FEE	\$ <u>2,801.50</u>
4802	FORFEITURE	\$ <u>41,166.50</u>
4803	DRUG TREATMENT/EDUCATION	\$ <u>37,056.77</u>
4804	COURT FINES	\$ <u>134,724.24</u>
	FINES	\$ <u>109,354.26</u>
	P.O.F.	\$ <u>8,092.35</u>
	P.O.P.I.D.F	\$ <u>13,965.38</u>
	D.U.I.	\$ <u>-0-</u>
	BRAIN/SPINAL	\$ <u>222.00</u>
	WD/BF	\$ <u>84.25</u>
	VICTIM	\$ <u>252.00</u>
	CRIME LAB (FELONY)	\$ <u>2,679.00</u>
	CRIME LAB (MISD)	\$ <u>75.00</u>
	DRIVERS EDUCATION	\$ <u>-0-</u>
	CRIMINAL COURT COST	\$ <u>-0-</u>
4811	VICTIMS ASSISTANCE PROGRAM	\$ <u>6,149.66</u>
4925	ATTORNEY FEES	\$ <u>24,628.38</u>
4805	10% JAIL FUND	\$ <u>15,619.18</u>
4235	TRANSFER TAX	\$ <u>747,968.70</u>
4634	INTANGIBLE TAX	\$ <u>2,540,819.11</u>
4854	INTANGIBLE TAX INTEREST	\$ <u>56.30</u>
4854	INTEREST EARNED FROM GENERAL FUND	\$ <u>287.98</u>
5020	RESTITUTION	\$ <u>183,656.44</u>
	<u>TOTAL RECEIPTS</u>	<u>\$4,269,220.51</u>

**CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT
FINANCIAL REPORT
MONTH OF – AUGUST 2006 -GENERAL FUND PAYABLES**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	PEACE OFFICERS/PROS/IND DEF FUND – CIVIL	\$ <u>18,375.00</u>
	PEACE OFFICERS/PROS/IND DEF FUND – CRIMINAL	\$ <u>14,165.38</u>
	PEACE OFFICERS' ANNUITY & BENEFIT FUND	\$ <u>7,438.38</u>
	SHERIFFS' RETIREMENT FUND	\$ <u>1,465.00</u>
	CLERKS' RETIREMENT FUND	\$ <u>11,220.00</u>
	CLERKS' COOPERATIVE AUTHORITY –(UCC'S)	\$ <u>4,010.00</u>
	CLERKS' COOPERATIVE AUTHORITY – (DEEDS)	\$ <u>82,120.00</u>
	CLERKS' COOPERATIVE AUTHORITY – NOTARIES	\$ <u>790.00</u>
	STATE CHILDREN'S TRUST FUND	\$ <u>1,335.00</u>
	CLERKS' COOPERATIVE AUTHORITY – P.O.F.	\$ <u>8,453.10</u>
	VICTIMS EMERGENCY FUND	\$ <u>77.00</u>
	BRAIN AND SPINAL TRUST FUND	\$ <u>370.00</u>
	DRIVERS EDUCATION COMMISSION	\$ <u>-0-</u>
	CRIMINAL COURT COST	\$ <u>-0-</u>
	RESTITUTION	\$ <u>183,656.44</u>
	INTANGIBLE TAX TO STATE AND ENTITIES	\$ <u>1,738,171.25</u>
	TRANSFER TAX TO STATE AND ENTITIES	\$ <u>746,820.20</u>
	INTANGIBLE TAX TO COBB COUNTY	\$ <u>802,704.16</u>
	CRIME LAB FEES/FELONY & MISDEMEANOR	\$ <u>2,754.00</u>
4811	VICTIMS ASSISTANCE PROGRAM	\$ <u>6,149.66</u>
4235	TRANSFER TAX TO COBB COUNTY	\$ <u>1,148.50</u>
4806	LAW LIBRARY FUND	\$ <u>3,675.00</u>
4806	SENTENCE INSOLVENT	\$ <u>1,854.00</u>
4590	DRUG COURT	\$ <u>18,671.00</u>
4579	A.A.D.R.P. FUND OF COBB COUNTY	\$ <u>3,495.00</u>
4854	INTEREST EARNED FROM GENERAL FUND	\$ <u>202.53</u>
4854	INTEREST EARNED FROM TRANSFER TAX	\$ <u>85.45</u>
	TOTAL PAY OUT	\$ <u>3,659,206.05</u>
	NET PAY OUT	\$ <u>610,014.46</u>
4638	<u>OVER / SHORT</u>	\$ <u>56.00</u>
4544	CIVIL REFUNDS	\$ <u><136.00></u>
4804	JUDICIAL REFUNDS	\$ <u><120.44></u>
4544	UN-COLLECTABLE (NSF)	\$ <u><442.26></u>

AMOUNT PAID TO COBB COUNTY-COMPTROLLER **\$ 609,371.76**

Sworn to and subscribed before me on
This the 12TH day of SEPTEMBER 2006.

Mary D. Duckaty

NOTARY PUBLIC

Notary Public for the State of Georgia
My Commission Expires September 12, 2007.

J. C. Stephenson

JAY C. STEPHENSON, CLERK SUPERIOR COURT
ELVA P. DORNBUSCH, CHIEF DEPUTY CLERK